

(Attorney File: 00-012)

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)	Group Art: 3725
STEVEN M. KASSUBA)	Examiner: Mark Rosenbaum
Appln. No. 09/919,277)	and
Filed: July 31, 2001)	Alan Ostrager
For: "CRUSHING - BREAKING)	
APPARATUS")	LETTER TRANSMITTING COPIES OF
		RESPONSE AND AMENDMENT LOST
		BY PTO

RECEIVED

FEB 24 2004

The Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

TECHNOLOGY CENTER R3700

Sir:

Applicant through applicant's attorney of record, prepared a 23-Page Response and Amendment responding to the August 19, 2003, Office Action (O/A) and by separate instrument requested a one month extension of time to respond with a check for \$55.00.

All of such items were hand carried to and filed in the United States Patent and Trademark Office (PTO) on December 15, 2003.

Prepared receipt cards were date stamped December 15, 2003, by the PTO "Technology Center 3700".

On February 18, 2004, said attorney of record 'phoned the PTO (Tech Center "3700") to seek information regarding drawings for the above-identified application and to the total surprise of said attorney, was informed that the PTO was getting ready to issue a notice of abandonment because the PTO had not received any Response to said O/A of August 19, 2003.

It was explained to Examiner Alan Ostrager that such is wrong because a 23-Page Response and Amendment, dated December 11, 2003, and Petition for One Month Extension of Time were all hand carried to and filed in the PTO on December 15, 2003, and that said attorney had the date stamped receipt cards to prove it.

Examiner Alan Ostrager then suggested that an additional copy of said 23-Page Response and Amendment be again filed in the PTO.

Accordingly, along with this "Letter Transmitting Copies ..." applicant's said attorney is also filing, by having said attorney's associate firm, Shemaker and Mattare hand-carry to the PTO (as it was previously done on December 15, 2003):

- A) a true copy of said 23-Page Response and Amendment;
- B) a true copy of the Petition for Extension of time to Respond to said O/A;
- C) a second true copy of said 23-Page Response and Amendment being supplied as a "Courtesy Copy" to Examiner;
- D) a second true copy of said Petition, and
- E) two true photocopies of two receipt cards date stamped by the PTO showing all matters recited herein being timely received by the PTO.

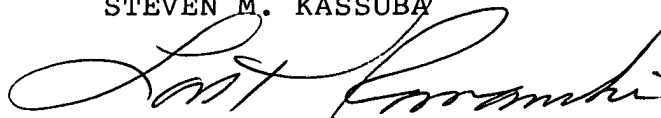
It is requested that the PTO, in particular "Technology Center 3700" correct its records to show that applicant had timely filed all instruments in this application and that it was by some unknown causes that all of said instruments were lost by the PTO.

Applicant requests acknowledgement by the PTO that said application IS NOT ABANDONED.

Applicant is also of the belief that said application is in condition for allowance which action is earnestly solicited.

Respectfully submitted,

STEVEN M. KASSUBA



By: LON H. ROMANSKI
PTO Reg. #19,421
Attorney for Applicant
P.O. BOX 893
Cadillac, Mich. 49601
1-231-775-0171

Dated: February 19, 2004

00-012

00-012

THE DATE STAMPED HEREON
ACKNOWLEDGES RECEIPT OF: 23-page
Amendment dated December 11, 2003
a one-page Petition for Extension
of Time to respond to Office
Action of August 19, 2003;
attorney check #12064 for \$55.00
in payment of Petition Fee
ALL BEING FILED IN RE APPLN. NO.
09/919,277 Filed: July 31, 2001,
for: "CRUSHING-BREAKING APPARATUS
of Applicant: Steven M. Kassuba

TECHNOLOGY CENTER 3700

DEC 15 2003

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in payment of Petition Fee; ALL
OF SUCH BEING FILED IN RE PATENT
APPLN. NO. 09/919,277 Filed:
July 31, 2001, for: "CRUSHING-
BREAKING APPARATUS" of Applicant
Inventor: Steven M. Kassuba

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